

Reply to Office Action dated April 24, 2008

REMARKS

Claims 1, 3, 5-7, 9-10, 13, 15-19, 21 and 32-38 are pending in this application. By this Amendment, claims 1, 16, 17, 19 and 21 are amended and claim 29 is canceled without prejudice or disclaimer. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action objects to claims 1 and 29 because of informalities. It is respectfully submitted that the above amendments obviate the grounds for objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1, 3, 5-7, 9-10, 13, 15-19, 21, 29 and 32-38 under 35 U.S.C. §103(a) over U.S. Patent Publication 2004/0185883 to Rukman in view of U.S. Patent Publication 2003/0045311 to Larikka et al. (hereafter Larikka). The rejection is respectfully traversed with respect to the pending claims.

Independent claim 1 recites receiving a first short message service (SMS) message of a multimedia message service (MMS) notification message at a mobile station (MS), and performing a flag setting in the MS after receiving the first SMS message of the MMS notification message, the flag setting to restrain routing area update (RAU) processing and to allow the MS to monitor a paging channel. Independent claim 1 also recites receiving a second SMS message of the MMS notification message at the MS while the flag setting restrains the RAU processing and while the MS is monitoring the paging channel, wherein performing the flag setting occurs prior to receiving the second SMS message at the MS, the second SMS

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message of the MMS notification message being different than the first SMS message of the MMS notification message. Independent claim 1 also recites releasing the flag setting in response to receiving the second SMS message at the MS, performing the RAU processing in response to releasing the flag setting, and after performing the RAU processing, forming one MMS notification message at the MS from the received first SMS message and the received second SMS message, wherein the RAU processing is prevented from being performed when the flag is set.

The applied references do not teach at least these features of independent claim 1. More specifically, the applied references do not teach or suggest features relating to receiving a first SMS message of a MMS notification message, receiving a second SMS of an MMS notification message as well as the features relating to performing a flag setting, releasing the flag setting and/or performing the RAU processing.

The Office Action asserts that Rukman discloses multiple SMS messages comprising an MMS message to accommodate a length of a message. This does not teach or suggest receiving a first SMS message from a MMS notification message and receiving a second SMS message of the MMS notification message as well as forming one MMS notification message from the received first SMS message and the received second SMS message. Rukman merely describes that a recipient may receive a first SMS message from a first MMS message by replacing a sender's address in the first MMS message with a unique reply telephone number and by removing overhead information. Rukman does not teach or suggest receiving a first SMS message of a

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MMS notification message, receiving a second SMS message of the MMS notification message and forming one MMS notification message from the received first SMS message and the received second SMS message. Larikka does not teach or suggest these missing features.

The Office Action appears to state that Rukman does not disclose the claimed performing a flag setting, releasing the flag setting and/or performing an RAU processing in response to releasing the flag setting. The Office Action relies on Larikka's paragraphs [0036]-[0041] for the alleged missing features of independent claim 1. However, Larikka's paragraphs [0036]-[0041] do not teach or suggest any type of performing a flag setting, releasing the flag setting and/or performing the RAU processing. Rather, paragraphs [0036]-[0041] merely relate to a SyncML message being inserted into an SMS message and sent to a recipient via an SMS network. Additionally, the SyncML message may split into two or more portions and transmitted using two or more SMS messages. This does not teach performing a flag setting, releasing a flag setting and/or performing the RAU processing.

Further, Larikka and Rukman do not teach or suggest the flag setting to restrain routing area update (RAU) processing and to allow the MS to monitor a paging channel, as recited in independent claim 1. The Office Action's allegation that Larikka teaches indicators to indicate to a MS that pending processing and transmission is incoming does not teach or suggest the specific features of the flag setting to restraining RAU processing and to allow the MS to monitor a paging channel (or the specific features of performing a flag setting, releasing a flag setting and/or performing the RAU processing). Rather, Larikka provides identifiers at a

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beginning and end of a SyncML message. The SyncML identifiers are provided by a formulating application 220. See Larikka's paragraphs [0043], [0046] and [0048]. This does not suggest the claimed features relating to performing/releasing a flag setting and/or the RAU processing is prevented from being performed when the flag is set.

Larikka (and Rukman) also does not teach or suggest releasing the flag setting in response to receiving the second SMS message and/or performing the RAU processing in response to releasing the flag setting. Larikka also does not teach or suggest the RAU processing is prevented from being performed when the flag is set.

For at least the reasons set forth above, Rukman and Larikka do not teach or suggest all the features of independent claim 1. Independent claim 1 therefore defines patentable subject matter.

Independent claim 10 recites that a routing area update (RAU) is controlled based on the received first and second SMS messages of the one MMS notification message and based on a flag setting of the mobile station. Independent claim 10 also recites that the RAU is prevented from being performed at a time of the flag setting and while the mobile station monitors a paging channel during the time of the flag setting. Still further, independent claim 10 also recites that the RAU is performed after changing the flag setting in response to receiving the second one of the two SMS messages constituting the one MMS notification message, wherein the flag setting occurs after receiving the first one of the two SMS messages constituting the one MMS

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notification message and the flag setting occurs prior to receiving the second one of the two SMS messages constituting the one MMS notification message.

For at least similar reasons as set forth above, Rukman and Larikka do not teach or suggest at least these features of independent claim 10. More specifically, Rukman and Larikka do not teach or suggest that the RAU is prevented from being performed at a time of the flag setting and while the mobile station monitors a paging channel during the time of the flag setting and that the RAU is performed after changing the flag setting in response to receiving the second one of the two SMS messages constituting the one MMS notification message. Thus, independent claim 10 defines patentable subject matter.

Independent claim 16 recites receiving a first SMS message of the one MMS notification message at a mobile station, releasing a radio resource (RR) connection in response to receiving the first SMS message, and setting a flag when the RR connection is released and the mobile station to monitor a paging channel while the flag is set. Independent claim 16 also recites receiving a second SMS message of the one MMS notification message at the mobile station while the flag is set and while the mobile station is monitoring the paging channel, and releasing the setting of the flag in response to receiving the second SMS message at the MS, wherein setting the flag occurs after receiving the first SMS message at the mobile station and prior to receiving the second SMS message at the mobile station. Independent claim 16 further recites performing the RAU processing in response to releasing the setting of the flag, and after performing the RAU processing, forming the one MMS notification message at the mobile

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station from the received first SMS message and the received second SMS message, wherein the RAU processing is prevented from being performed when the flag is set.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 16. More specifically, Rukman and Larikka do not teach or suggest setting a flag when the RR connection is released and the mobile station to monitor a paging channel while the flag is set. Additionally, Rukman and Larikka do not teach or suggest releasing the setting of the flag in response to receiving the second SMS message at the MS, performing the RAU processing in response to releasing the setting of the flag, wherein the RAU processing is prevented from being performed when the flag is set. Thus, independent claim 16 defines patentable subject matter.

Independent claim 21 recites receiving a first SMS message at a mobile terminal, determining whether the first SMS message comprises part of a MMS notification message, releasing a radio resource connection when the first SMS message is determined to be part of the MMS notification message, and setting a flag based on the determination regarding the first SMS message, wherein when the flag is set, the mobile terminal to monitor a paging channel. Independent claim 21 also recites while the mobile terminal monitoring the paging channel, receiving a second SMS message at the mobile terminal, the second SMS message being another part of the MMS notification message, releasing the flag setting after receiving the second SMS message at the mobile terminal, wherein when the flag is released, the mobile terminal no longer monitors the paging channel. Independent claim 21 also recites performing a routing area update

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(RAU) processing in response to releasing the flag setting, decoding the first SMS message and the second SMS message, and after performing the RAU processing, forming a single message at the mobile terminal based on the decoded first SMS message and the decoded second SMS message, wherein the RAU processing is prevented from being performed when the flag is set.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 21. More specifically, Rukman and Larikka do not teach or suggest setting a flag based on the determination regarding the first SMS message, wherein when the flag is set, the mobile terminal to monitor a paging channel. Rukman and Larikka also do not reach or suggest releasing the flag setting after receiving the second SMS message at the mobile terminal, wherein when the flag is released, the mobile terminal no longer monitors the paging channel. Still further, Rukman and Larikka do not teach or suggest performing a routing area update (RAU) processing in response to releasing the flag setting, wherein the RAU processing is prevented from being performed when the flag is set. Thus, independent claim 21 defines patentable subject matter at least for this reason.

For at least the reasons set forth above, each of independent claims 1, 10, 16 and 21 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

Serial No. **10/824,360**

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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 3, 5-7, 9-10, 13, 15-19, 21 and 32-38 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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